

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Candace Hume,

Civil No. 10-100 (RHK/JSM)

Plaintiff,

ORDER

vs.

Fairview Health Services,

Defendant.

Pursuant to the Stipulation (Doc. No. 6) entered into by the parties and upon all of the files and proceedings herein, **IT IS ORDERED:**

1. Plaintiff's Count I, alleging violation of the Family and Medical Leave Act ("FMLA"), 29 U.S.C. §§ 2611 *et seq.*, is **DISMISSED WITH PREJUDICE** and without costs to any party to this action, and;
2. This action is **REMANDED** to the District Court of the Fourth Judicial District for the County of Hennepin, State of Minnesota.

Dated: February 11, 2010

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge